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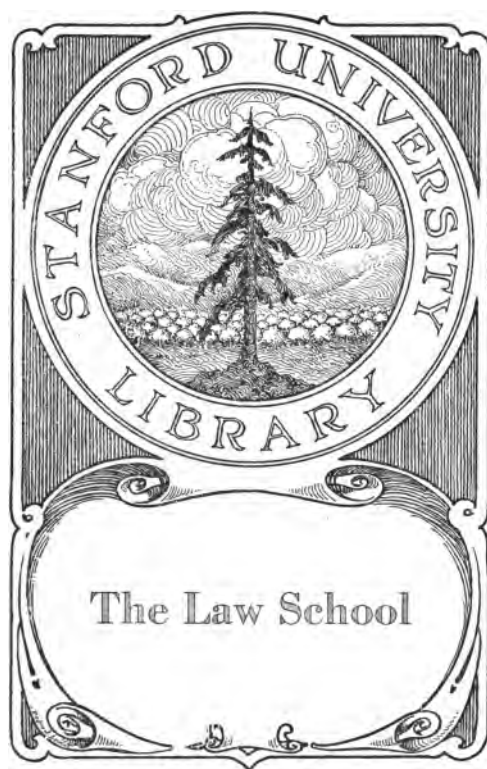
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Kentucky Coll.

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

Commonwealth of Kentucky

PASSED AT THE

SPECIAL SESSION OF THE GENERAL ASSEMBLY, WHICH WAS
BEGUN AND HELD ON SATURDAY, THE THIRTEENTH
DAY OF MARCH, ONE THOUSAND EIGHT
HUNDRED AND NINETY-SEVEN.

PROPERTY OF THE STATE OF KENTUCKY.

LOUISVILLE, KY.:
GEO. G. FETTER PRINTING CO.
1897.

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VIA RAIL GROMATE

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LAWS

OF THE

STATE OF KENTUCKY,

PASSED AT THE SPECIAL SESSION OF THE GENERAL ASSEMBLY, WHICH WAS BEGUN AND HELD IN THE CITY OF FRANKFORT ON SATURDAY THE THIRTEENTH DAY OF MARCH, EIGHTEEN HUNDRED AND NINETY-SEVEN.

WM. O. BRADLEY, GOVERNOR.
W. J. WORTHINGTON, LIEUT.-GOV., PRES. OF SENATE.
C. T. BLANFORD, SPEAKER HOUSE OF REPRESENTATIVES.
CHAS. FINLEY, SECRETARY OF STATE.
W. S. TAYLOR, ATTORNEY-GENERAL.

CHAPTER 1.

AN ACT concerning the office of coroner.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section two, chapter one hundred and six, of an act, entitled "An act concerning the office of Coroner," which was approved December third, one thousand eight hundred and ninety-two, and now being section five hundred and thirty-seven, chapter thirty-one, of the Kentucky Statutes, be, and the same is hereby, amended and re-enacted as follows: By striking out all of section two, and substituting therefor the following as section two, so that said section, as amended and re-enacted, shall read as follows:

Allows coron-
er in first-class
cities a sten-
ographer and
fixed salary of
same to be
paid out of
treasury of
city.

"In the cities of the first class the coroner may employ a stenographer or clerk to take down the testimony of witnesses testifying in cases of probable homicide, and to do such other clerical work as the coroner may require in the conduct of his office, and may fix the salary of such stenographer or clerk at a sum not to exceed fifty dollars per month, and the money for the salary of such stenographer or clerk shall be paid out of the treasury of such cities of the first class in the manner provided by law for the payment of all claims against such cities."

§ 2. That as, under the present law, there is being paid out of the treasury of cities of the first class to official stenographers large sums of money, and as it is to the interest of the taxpayers of such cities that this state of affairs should cease as soon as possible, therefore an emergency is hereby declared to exist, and this act shall take effect from and after its approval by the Governor.

Approved April 16, 1897.

CHAPTER 2.

AN ACT to protect the freedom of speech within the Commonwealth of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

A high misde-
meanor to in-
terfere or in-
terrupt any
one making a
speech.

§ 1. That any person or persons who shall be guilty of interfering with any person making a public speech or addressing a public audience within this State, or who shall interrupt such person while speaking by the use of insulting or offensive language, or opprobrious epithets applied to such speaker, or who shall attempt to interrupt or injure such speaker by throwing eggs or missiles of any kind at him, shall be deemed guilty of a high misdemeanor, and punished by a fine of not less than fifty nor more than five hundred dollars or imprisonment in the county jail not less than one nor more than six months, either or both, within the discretion of the jury.

Punishment
for said mis-
demeanor.

Approved April 16, 1897.

CHAPTER 3.

AN ACT to prevent the spread in this Commonwealth of the disease called glanders.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When it is made to appear to the satisfaction of the county judge or any justice of the peace of any county in this Commonwealth, that any animal within his county is diseased with glanders, it shall be the duty of the county judge or justice of the peace to notify the owner and require him to kill and bury it; and before the animal or animals are killed, the county judge, with a justice of the peace or two justices of the peace, shall cause the animal to be valued, the valuation not to exceed fifty dollars for any one animal, and the valuation of said animal or animals, together with the fact of its destruction, shall be certified by the two justices or the county judge to the county court together with the name of the owner, and spread upon the records of the court. A certified copy of said order, under the seal of the county, shall be delivered to the owner, and upon its presentation to the county court, the county judge may order the amount certified to be paid out of the county funds in which county said disease appears. Provided, further, That if the animal is diseased with glanders and the owner should refuse to destroy the animal on the demand of the county judge or any justice, he shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars, to be enforced by indictment, etc.

When any County Judge or Justice of the Peace is satisfied that an animal has glanders he must order owner to kill and bury it.

Animal to be valued by Judge and Justice of Peace or by two Justices.

Valuation not to exceed fifty dollars.

Valuation and other facts to be certified to the County Court.

Copy of order to be given to owner of animal.

County Judge may order the value to be paid out of County funds.

Penalty for owner to refuse to destroy said animals.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

§ 3. As the disease called glanders is now known to exist in several of the counties in this Commonwealth, and great damage and danger is thereby threatened, an emergency exists and is hereby declared, and this act shall take effect from and after its passage.

Approved April 29, 1897.

CHAPTER 4.

AN ACT to provide for the marking or labeling of cars, barges or other conveyances transporting coal mined or coke manufactured by convict labor in other States and brought into this Commonwealth for sale at wholesale or retail therein.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All coal mined or coke manufactured by convict labor in any State, and imported, brought, or introduced into the State of Kentucky, shall, during shipment and before being exposed for sale, or used in any place within this State, having a placard or label attached in a conspicuous place to the car, barge or other conveyance transporting such coal or coke, marked "Convict-mined Coal," or "Convict-made Coke," in plain English bold-faced lettering, not less than four inches in height. And all vehicles used in retailing or conveying the same within this State shall, in a similar manner, be marked or labeled in a conspicuous place.

Convict coal and coke to be labeled.

Size and kind of label.

Vehicles to be labeled.

§ 2. It shall not be lawful for any person dealing in such convict-mined coal or convict-made coke knowingly, to have the same in his possession for the purpose of sale or use, or to offer the same for sale, except under the conditions prescribed in and by section one of this act.

Unlawful for any person to deal in such coal or coke without complying with Sec. 1.

Any person offending against the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars, or to be imprisoned for a term not exceeding twelve months, or both, in the discretion of the jury or court trying the case.

Penalty for offending against the provisions of this act.

Approved April 29, 1897.

CHAPTER 5.

AN ACT to amend section twelve of an act entitled "An act fixing the times and terms of circuit courts in the counties composing the several judicial districts of this Commonwealth." Session Acts eighteen hundred and ninety-one, eighteen hundred and ninety-two, and eighteen hundred and ninety-three.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section twelve of an act, entitled An act fixing the times and terms of the circuit courts in the counties composing the several Judicial Districts in the Commonwealth, Session Act eighteen hundred and ninety-one, eighteen hundred and ninety-two, and eighteen hundred and ninety-three, be and the same is amended as follows, to-wit: Change the time of holding Circuit Court in Anderson county The words "on the second Mondays in April and December, and third Monday in August, twelve juridical days each," fixing the terms of the Anderson Circuit Court be, and they are repealed; and the following words are enacted and substituted in their place, to-wit: "On the second Monday in April and the first Monday in December twelve juridical days;" so that said section, as amended, shall read: "Anderson county, at Lawrenceburg, on the second Monday in April and the first Monday in December, twelve juridical days, each, on the fourth Monday in August, six juridical days."

Approved May 4, 1897.

CHAPTER 6.

AN ACT to legalize the borrowing of money by the several asylums for the insane and other charitable institutions of this State.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Acts and con-
tracts of Asy-
lum in bor-
rowing money
legalized.

How interest
paid.

§ 1. That, whereas, the several Asylums for the Insane and the other State Charitable Institutions have, during the existing depleted condition of the State Treasury, been compelled, in order to provide necessary supplies for the inmates of said institutions, to borrow money, and, in some instances, to sell treasury warrants held by them; therefore, said acts of the boards of said several asylums and institutions are hereby approved and legalized; and all contracts by which any of said asylums or institutions have procured loans or advances, at any rate of interest not exceeding the rate of six per cent. per annum, shall be, and are hereby, made binding and obligatory on said several institutions, and shall be payable out of any per capita allowance heretofore or hereafter appropriated for the benefit of said institutions.

Approved May 4, 1897.

CHAPTER 7.

AN ACT for the benefit of Lewis D. Smith, keeper of the back capital.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to issue his warrant on the Treasurer in favor of Lewis D. Smith for four dollars per day from the beginning of the present session of the General Assembly until its close, for services in keeping and caring for the back capital.

§ 2. An emergency exists for the immediate effect of this law, because there is no law allowing pay for such services, and this law shall take effect from its passage.

Approved May 4, 1897.

CHAPTER 8.

AN ACT providing for the payment of interest on warrants issued for claims against the State of Kentucky, and fixing the order of payment thereof, and the funds from which said warrants shall be paid.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All warrants hereafter issued by the Auditor (except as hereinafter provided) for claims against the State of Kentucky shall bear interest at the rate of six per cent. Warrants issued hereafter to bear 6 per cent. interest. per annum from the date of issue until paid, or until called in for payment by the Treasurer, as hereinafter provided, and it shall be the duty of the Auditor, when claims are presented against the State of Kentucky, to immediately audit same, and, if found to be correct, to issue a warrant therefor. Auditor to immediately audit, if correct, issue warrants

§ 2. Whenever a warrant heretofore issued by the Auditor for claims against the State of Kentucky shall be surrendered to the Auditor for cancellation, the Auditor shall immediately, as of the day of such surrender, issue a new warrant in lieu of same, which new warrant shall bear interest at the rate of six per cent. per annum from date of surrender of old warrant for cancellation until paid, or called in for payment, as hereinafter provided. The Auditor may, in his discretion, embrace in one new warrant the amounts due upon one or more old warrants, but each new warrant issued in lieu of old warrant or warrants shall recite on the face thereof the serial number of such old warrant or warrants, and the date or dates thereof, and also that said new warrant shall bear interest at the rate of six per cent. per Old warrants to be surrendered and new ones issued bearing interest from date of surrender at 6 per cent. Auditor may issue one warrant for amounts due on one or more warrants.

annum from date until paid, or called in for payment, as hereinafter provided.

Old warrants
surrendered
to be canceled
by Auditor
and kept on
file.

§ 3. All old warrants surrendered to the Auditor for cancellation and re-issue shall be cancelled by him, and kept on file as part of the records of his office; and in a book especially provided for that purpose, the Auditor shall record the date, serial number and amount of each warrant issued by him, and if issued in lieu of an old warrant, or warrants, the serial numbers, dates and amounts of old warrant or warrants, in lieu of which it was issued.

Auditor to
keep a record
of warrants is-
sued by him,
etc.

Re-issued war-
rants to be
paid in the or-
der of original
warrants.

§ 4. All warrants issued in lieu of old, or outstanding warrants, as provided herein, shall be paid by the Treasurer in the order, and according to date of original issue of original warrant, out of the funds specially provided for payment of claims against the State for which warrants have been, or should have been, issued, at the time this act shall have become a law; all other warrants hereafter issued by the Auditor shall be paid by the Treasurer in the order of and according to date of issue, out of the funds provided for the payment thereof.

New warrants
to be paid in
order of issue.

The Treasurer
must call for
warrants
when as much
as three thou-
sand dollars is
in treasury.

§ 5. It shall be the duty of the Treasurer, whenever there are funds in the Treasury amounting to as much as three thousand dollars, to call for such number of warrants, by serial numbers, as, in the aggregate, do not exceed the funds in the Treasury, to be presented to him for payment. The call of the Treasurer shall by him be published for fifteen consecutive days in a daily newspaper published in this State, and no warrants, so called in shall bear interest after the expiration of said fifteen days' publication; nothing herein, however, shall prevent the payment by the Treasurer of warrants due, according to date of issue, if presented without awaiting such publication.

How call to be
published.

Provisions of
this act as to
interest on
warrants shall
not apply to
Common
School, A. & M.
College, or
Sinking Fund

§ 6. The provisions of this act as to interest on warrants, and the issual and payment of warrants, shall not apply to the application of funds provided for common schools, the Agricultural and Mechanical College, and the sinking funds.

but each of said funds shall be applied and distributed as now required by law.

§ 7. Whenever a warrant shall be presented for payment, and payment thereof be due according to the provisions of this act, the Auditor shall draw an additional warrant for the interest ascertained to be due, which said warrant for interest shall be paid upon presentation by the Treasurer at the same time the warrant on which said interest is allowed shall be paid.

Auditor to draw a warrant for interest due on warrants when due and presented.

§ 8. Owing to the fact that there are now many outstanding warrants for claims against the State of Kentucky unpaid, and bearing no interest, and that there are no funds in the Treasury with which to pay same, an emergency is declared to exist, and this act shall take effect from its approval by the Governor.

Approved May 8, 1897.

CHAPTER 9.

AN ACT authorizing the Commonwealth of Kentucky to issue bonds to the aggregate amount of five hundred thousand dollars, for the purpose of funding certain indebtedness of the State.

Whereas, The Commonwealth of Kentucky is now indebted to certain persons and corporations in amounts aggregating more than five hundred thousand dollars, which debts have arisen because of certain deficits and failures in the revenue to meet the current and necessary expenses of the State; and

Whereas, It is to the interest of the State that at least five hundred thousand dollars of said indebtedness should be discharged as early as possible; and

Whereas, The only source from which the necessary funds to discharge said debts can be promptly raised is through the sale of bonds; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Authority to
issue interest
bearing bonds
due in ten
years.

Executed in
behalf of Com-
monwealth by
Governor, who
shall sign.

Interest war-
rants or cou-
pons evidenc-
ed by signa-
ture of Audi-
tor.

Bonds shall be
negotiable.
Place of pay-
ment.

§ 1. That the Commonwealth of Kentucky be, and it here-
by is, authorized and empowered to issue its bonds in the
aggregate amount of five hundred thousand dollars, which
shall be payable in ten years from their date, and bear inter-
est at the rate of four *per centum* per annum, payable semi-
annually. Said bonds shall be executed for and in behalf
of the Commonwealth of Kentucky by the Governor, whose
signature thereto shall be attested by the Secretary of
State, and they shall have the seal of the Commonwealth
affixed thereto. The interest warrants or coupons shall be
evidenced by the signature of the Auditor lithographed or
engraved and printed thereon. Said bonds and said interest
warrants or coupons shall be negotiable and shall be paya-
ble either at the office of the Treasurer of the State of Ken-
tucky, or at the Bank of America, in the city of New York
and State of New York.

By whom sold.

Manner of sale

Bonds must
sell for par.

§ 2. Said bonds, when executed, shall be placed in the
hands of the Sinking Fund Commissioners for sale for ac-
count of the State. A day shall be fixed by said Sinking
Fund Commissioners upon which sealed bids shall be pub-
licly opened by them at the office of the Auditor for the pur-
chase of the whole or any number of said bonds, and the
same shall be sold to the highest and best bidder or bidders;
and, if two or more bidders shall bid the same amount for
the whole or any number thereof, the number allotted to such
bidders shall be allotted and divided between them in propor-
tion to the number for which their bids were made: *Pro-
vided, however,* That no bid shall be accepted for any of said
bonds at a price less than the par value thereof and the in-
terest accumulated at the time of allotment.

Manner of ad-
vertisement of
sale.

§ 3. The time said bids will be opened and the conditions
upon which they will be received, and upon which allot-
ments will be made, shall be advertised for at least thirty
days in two daily newspapers published in the State of Ken-

tucky and one daily newspaper published in the city of New York, State of New York; but the said Sinking Fund Commissioners may employ any other and further means of advertising the sale of said bonds which to them may seem wise.

§ 4. Said bonds shall be of the denomination of one thousand dollars each, and shall have interest warrants or coupons attached to them evidencing the payment of the semi-annual installments of interest.

Denomination of bonds, time of payment of interest.

§ 5. The proceeds of the sale of said bonds shall be used only in the payment of that part of the existing indebtedness of the State which has been created on account of the several charitable institutions and asylums of the State, as follows: The Kentucky Institution for the Education of the Blind, the Central Kentucky Asylum for the Insane, the Eastern Kentucky Asylum for Insane, the Kentucky Institution for Feeble-Minded Children, the Western Kentucky Asylum for Insane and the Kentucky Institute for Deaf Mutes. Such indebtedness shall be paid off and discharged by the Treasurer with the funds raised by the sale of said bonds as and in the order that the warrants evidencing such indebtedness were issued.

Purposes for which proceeds of sale of bonds to be used.

Paid in the order in which warrants issued.

§ 6. For the reasons set forth in the preamble of this act, an emergency exists, and is hereby declared to exist, and this act shall take effect and become a law from and after its passage and approval by the Governor.

Approved May 10, 1897.

CHAPTER 10.

AN ACT to amend and re-enact section one of an act entitled "An act regulating revenue and taxation," approved November eleventh, one thousand, eight hundred and ninety-two.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section one of an act, entitled "An act regulat-

ing Revenue and Taxation," approved November eleventh, one thousand eight hundred and ninety-two, be amended and re-enacted as follows: By striking therefrom the words "forty-two and a half cents" where same occurs in said section, and inserting in lieu thereof the words "fifty-two and a half cents" and adding, at the end of said section, the following words, "and ten cents for the exclusive purpose of paying claims, and interest thereon due from the State of Kentucky, which have been audited and for which warrants have been, or should have been, issued, at the time this act shall have become a law," so that said section as amended and re-enacted shall read as follows: "An annual tax of

Tax rate fixed
at 52½ cents.

fifty-two and a half cents upon each one hundred dollars of the value of all property directed to be assessed for taxation, as hereinafter provided, shall be paid by the owner, person, or corporation assessed. The aggregate amount of tax realized by all assessments shall be for the following purposes: Fifteen cents for the ordinary expenses of the Government; five cents for the use of the sinking fund; twenty-two cents for the support of the common schools; and one-half of one cent for the Agricultural and Mechanical College, as now provided by law by an act, entitled "An act for the benefit of the Agricultural and Mechanical College," approved April twenty-ninth, one thousand eight hundred and eighty, including the necessary traveling expenses of all pupils of the State entitled to free tuition in said college and who continue students for the period of ten months, unless unavoidably prevented; and ten cents for the exclusive purpose of paying claims, and interest thereon due from the State of Kentucky, which have been audited, and for which warrants have been, or should have been, issued, at the time this act shall have become a law."

How tax ap-
plied.

Payment of
claims and
interest due
thereon from.

Tax rate to
continue
three years.
then rate to be
47½ cents.

§ 2. The provisions of this act fixing rate of taxation at fifty-two and one-half cents on one hundred dollars in value of property assessed for taxation and the application of the revenue derived therefrom shall continue in force for a

period of three years from the time this act shall have become a law, and at the expiration of said period the rate of taxation shall be forty-seven and a half cents upon each one hundred dollars in value of all property assessed for taxation, to be applied as follows: Fifteen cents for the ordinary expenses of the Government; five cents for the use of the Sinking Fund; twenty-two cents for the support of the common schools; one-half of one cent for the Agricultural and Mechanical College as now by law directed; and five cents for the exclusive purpose of paying any outstanding warrants and interest thereon.

How tax applied.

Five cents to pay outstanding debts.

§ 3. Inasmuch as the revenues of the State, as now provided by law, are insufficient to meet current expenses and discharge existing indebtedness, an emergency is hereby declared to exist, and this act shall take effect and become a law from its passage and approval by the Governor.

Approved May 8, 1897.

CHAPTER 11.

AN ACT to amend section four thousand one hundred and fifty one of article seven, chapter one hundred and eight, "Revenue and Taxation," Kentucky Statutes (General Statutes, one thousand and seventy-eight), Acts one thousand eight hundred and eighty-six.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section four thousand, one hundred and fifty-one, of article seven, chapter one hundred and eight, of the Kentucky Statutes be, and the same is hereby, amended. Said section reads as follows, to-wit:

"If there be no personal property that the sheriff or tax collector can distrain for taxes due, and the same shall not be paid by the first day of July, the sheriff or tax collector shall sell for cash any real estate belonging to or listed by such delinquent taxpayer, or so much thereof as will pay the taxes due and his commission, in the same manner that

lands are sold under execution, except the land shall not be valued or levied on and shall be advertised by posting for fifteen days before the sale a written or printed notice at the courthouse door, and by publication once a week for four weeks prior to the day of sale in a newspaper of general circulation, if there be one, in the county. If not, then by printed handbills posted for fifteen days before the sale at the courthouse door, and in three or more conspicuous places in the tax district, and he shall, not less than fifteen days before the sale, mail to the delinquent a postal card, addressed to his place of residence or place of business, if such can be ascertained, notifying him of the time and place of the sale, and, in order to cover the cost of such advertisement and notification, the sheriff shall have two dollars for each person whose property is advertised, to be paid by the delinquent, but in no event to be paid by the State."

Said section when amended shall read as follows, to-wit:

"If there be no personal property that the sheriff or tax collector can distrain for taxes due, and the same shall not be paid by the first day of July, the sheriff or tax collector shall sell for cash any real estate belonging to or listed by such delinquent taxpayer, or so much thereof as will pay the taxes due and his commission, in the same manner that lands are sold under execution, except that the land shall not be valued or levied on and shall be advertised by posting for fifteen days before the sale a written or printed notice at the courthouse door and by publication once a week for four weeks prior to the day of sale in a newspaper of general circulation, if there be one in the county. If not, then by printed handbills posted, for fifteen days before the sale, at the courthouse door, and in three or more conspicuous places in the tax district, and he shall, not less than fifteen days before the sale, mail to the delinquent a postal card, addressed to his place of residence or place of business, if such can be ascertained, notifying him of the time and place of the sale, and, in order to cover the cost of such ad-

vertisement and notification, the sheriff shall have one dollar and fifty cents for each person whose property is advertised, to be paid by the delinquent, but in no event to be paid by the State." Provided, however, no levy or sale of real estate shall be valid and no fees for making same, or credit for taxes in sales of same shall be allowed sheriffs, until said sheriffs shall have made affidavit in writing and filing same with clerk of county court of county in which such lands are situated, showing that the persons from whom taxes are due and whose real estate is to be sold have no personal estate out of which said taxes can be made. And such affidavit shall be certified to the Auditor, who shall in no case allow credit to sheriff for taxes on land sold and bought in for the State of Kentucky, until after such affidavit has been so certified to him.

§ 2. That this act shall take effect and be in force in ninety days from the expiration of this session.

Approved May 12, 1897.

CHAPTER 12.

AN ACT providing for the payment of the expenses of the committee appointed to attend the burial of Hon. Rozel Weissinger.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of ninety-four dollars and sixty-two cents (\$94.62) is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the expenses of the committee appointed by the two Houses of the General Assembly to attend the burial of Hon. Rozel Weissinger, deceased, and the Auditor of Public Accounts is hereby directed to draw his warrant in favor of Charles E. Somers for said sum, payable out of any money in the Treasury not otherwise appropriated.

§ 2. Said members of the committee having paid said expenses out of their own funds, and being justly entitled to

have same refunded to them, an emergency exists, and this bill shall take effect upon its passage.

Approved May 12, 1897.

CHAPTER 13.

AN ACT to amend an act fixing the times and terms of circuit courts in counties comprising the several judicial districts in this Commonwealth, approved December twenty-second, one thousand eight hundred and ninety-two, (chapter thirty-five, article two, sub-division one, of the Kentucky Statutes).

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act fixing the times and terms of the circuit courts in the counties comprising the several judicial districts in this Commonwealth, approved December twenty-second, eighteen hundred and ninety-two, (being chapter thirty-five, article two, subdivision one of the Kentucky Statutes) be, and the same is hereby, amended by striking out section thirteen thereof (section nine hundred and sixty-five of Kentucky Statutes), and inserting in lieu thereof the following, so that said section, when so amended, shall read as follows: "Section 13. Thirteenth district—Mercer county, at Harrodsburg, on the first Monday in February and continue eighteen juridical days; on the second Monday in May and first Monday in October, and continue twenty-four juridical days each; Boyle county, at Danville, on the third Monday in January and continue twelve juridical days; on the third Monday in April and second Monday in September and continue eighteen juridical days each; Lincoln county, at Stanford, on the fourth Monday in February and continue twelve juridical days; on the second Monday in June and first Monday in November and continue eighteen juridical days each; Garrard county, at Lancaster, on the second Monday in March and third Monday in August, and continue eighteen juridical days each, and

fourth Monday in November and continue eighteen judicial days.

Approved May 12, 1897.

CHAPTER 14.

AN ACT authorizing the formation in counties of less than 100,000 inhabitants, of corporations authorized to do both a trust and banking business.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in counties having a population of less than one hundred thousand, any number of persons, not less than seven, may associate to establish a corporation for the purpose of conducting, and it may conduct, both a banking business and a trust company business. The capital stock of such corporation shall not be less than fifty thousand dollars, (\$50,000) the whole of which shall be subscribed and paid in, in money before said corporation shall commence business, except that in such cases when the capital stock subscribed shall equal or exceed one hundred thousand dollars (\$100,000) then at least one half thereof shall be paid in in money before commencing business, and the remainder shall be paid in within twelve months thereafter. One-half of such capital stock shall be securely invested for the trust business of the corporation and shall at all times be kept separate and distinct from its other assets, and shall be primarily liable for its fiduciary obligations. The remainder of the capital stock of the corporation may be used in its business of banking, and its books shall be so kept as to show separately at all times the condition of its banking business and the condition of its trust business.

§ 2. Any corporation now doing either a banking or trust business may, with the consent of a majority in number and interest of its stockholders, organize under this act, and its

stock, if unimpaired may be converted into stock in the new corporation.

§ 3. The provisions of the act, entitle "An act providing for the creation and regulation of private corporations," which became a law April fifth, eighteen hundred and ninety-three, and known as chapter thirty-two, Kentucky Statutes, shall govern the formation of, and business conducted by, the corporations provided for by this act, that is, that portion of said act relating to banks and banking shall apply to and govern the banking business of corporations provided for by this act, and that portion thereof relating to trusts and trust companies shall apply to and govern their trust business.

§ 4. It appearing that it is important that certain corporations should, without delay, organize under the provisions of this act, it is declared that an emergency exists, and that this act shall take effect and be in force from and after its passage.

Approved May 12, 1897.

CHAPTER 15.

AN ACT to amend section fourteen of article three of an act entitled, "An act to regulate elections in this Commonwealth," approved June thirtieth, eighteen hundred and ninety-two.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. That section fourteen, of article three, of an act, entitled "An act to regulate elections in this Commonwealth," approved June thirtieth, eighteen hundred and ninety-two, be, and the same is hereby, amended by adding thereto the following words, viz.:

"Whenever an amendment to the Constitution has been adopted by the General Assembly, the Secretary of State shall cause such proposed amendment to be published at least four times in two papers of general circulation, pub

lished in the State, and shall also cause to be published at the same time and in the same manner the fact that said constitutional amendment will be submitted to the voters for their acceptance or their rejection at the next general election at which members of the General Assembly are to be voted for. Such publications shall be made so that the last publications shall be at least ninety days preceding the election at which said amendment is to be voted on, as provided in sections two hundred and fifty-six and two hundred and fifty-seven, of the Constitution. It shall be the duty of the Secretary of State to certify not less than twenty days before the next general election at which members of the General Assembly are to be chosen, to the county clerk of each county the substance of any constitutional amendment which is to be voted on, and it shall be the duty of each county clerk to have the substance of such amendment, as certified by the Secretary of State, indicated on the ballot, as provided in this section. The votes cast for and against such constitutional amendments shall be counted and canvassed and certified to the State Canvassing Board in the same manner as the votes cast for any officer elective by the votes of the whole State. If it shall be found that a majority of the votes cast for and against said amendment are in favor thereof, then said amendment shall become a part of the Constitution. The result of such vote shall be published by the Secretary of State in two daily newspapers, of general circulation, published in this Commonwealth. The expenses of the publications herein provided for shall be paid as are the expenses of other publications which the Secretary of State is required to make in connection with elections."

So that said section, as amended, shall read as follows:

"Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated upon the ballot. and two spaces shall be

left upon the right of the same, one for votes favoring the amendment or public measure, to be designated by the word 'Yes,' and one for votes opposing the amendment or measure, to be designated by the word 'No.' The elector shall designate his vote by a cross mark, thus (X), placed opposite the word 'Yes' or the word 'No.' Whenever an amendment to the Constitution has been adopted by the General Assembly the Secretary of State shall cause such proposed amendment to be published at least four times, in two papers of general circulation published in the State, and shall also cause to be published at the same time and in the same manner the fact that said constitutional amendment will be submitted to the voters for their acceptance or rejection at the next general election at which members of the General Assembly are to be voted for. Such publications shall be made so that the last publication shall be at least ninety days preceding the election at which said amendment is to be voted on, as provided in sections two hundred and fifty-six and two hundred and fifty seven of the Constitution. It shall be the duty of the Secretary of State to certify, not less than twenty days before the next general election at which members of the General Assembly are to be chosen, to the county clerk of each county, the substance of any constitutional amendment which is to be voted on, and it shall be the duty of each county clerk to have the substance of such amendment, as certified by the Secretary of State, indicated on the ballot, as provided in this section. The votes cast for and against such constitutional amendment shall be counted and canvassed and certified to the State Canvassing Board in the same manner as the votes cast for any officer elective by the votes of the whole State. If it shall be found that a majority of the votes cast for and against said amendment are in favor thereof, then said amendment shall become a part of the Constitution. The result of such vote shall be published by the Secretary of State in two daily newspapers of general circulation, published in this Com-

monwealth. The expenses of the publications herein provided for shall be paid as are the expenses of other publications which the Secretary of State is required to make in connection with elections.

§ 2. Inasmuch as an amendment to the Constitution is to be submitted to the people at the next general election, and sufficient time will not remain in which to make the publication herein provided for, unless this act becomes effective at once, an emergency exists, and is hereby declared, and this act shall take effect from and after its approval by the Governor.

Approved May 12, 1897.

CHAPTER 16.

AN ACT to amend and re-enact section thirty-nine of article five, of an act entitled, "An act to provide for an efficient system of common schools throughout the State," approved July sixth, eighteen-hundred and ninety-three.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. That section thirty-nine, of article five of an act, entitled "An act to provide for an efficient system of common schools throughout the State," approved July sixth, eighteen hundred and ninety-three, be amended and re-enacted so as to read as follows:

"§ 39. The county superintendent shall be elected by the qualified voters of each county at the November election in one thousand eight hundred and ninety-three, shall enter upon the discharge of the duties of his office on the second Monday in August, one thousand eight hundred and ninety-four, and continue in office until the first Monday in January, one thousand eight hundred and ninety-eight, and until the election and qualification of his successor. And in one thousand eight hundred and ninety-seven, and every four years thereafter, there shall be, in each county, an election of a

county superintendent, who shall hold his office four years from the first Monday in January following his election, or until the election and qualification of his successor. The county school superintendent shall be elected, and the vote canvassed and the result certified by the same officers, and in the same manner as in the election of other county officers; and within ten days after the election the clerk of the county court shall forward a copy of the certificate of election to the Superintendent of Public Instruction. All county superintendents in office at the time of the November election one thousand eight hundred and ninety-three shall continue in office until the second Monday in August, one thousand eight hundred and ninety-four, or until their successors are elected and qualified. In cases of controverted right to the office of county superintendent, the Superintendent of Public Instruction shall have power to recognize a superintendent from among the contestants until the case has been settled: *Provided*, That in counties containing cities of the first or second class maintaining a system of public schools separate and distinct from the common schools of the county, the county superintendent shall reside in the portion of the county outside of such city, or cities, and be elected by the qualified voters of said county residing outside of such city or cities."

Approved May 13, 1897.

CHAPTER 17.

AN ACT for the relief of the Court of Appeals of Kentucky.

§ 1. That the judges of the Court of Appeals are hereby empowered to employ clerical assistants for each of said judges, and to fix the compensation to be paid such assistants. Said compensation shall be paid monthly out of the Treasury upon the warrant of the Auditor of Public Accounts, which shall be issued upon the certificate of the chief justice of the court. Said assistants shall hold their positions for not more than two years from date of their appointment, and shall be subject to removal at the pleasure of said judges. The compensation of such assistants shall not exceed in the aggregate, the sum of six thousand dollars (\$6,000) per annum.

Judges of Court of Appeals authorized to employ clerical assistants and fix compensation.

How compensation paid.

Tenure of office and removal of.

Limit to compensation.

§ 2. Because of the accumulation of undetermined causes in the Court of Appeals there is an emergency that this act take immediate effect, and this act shall take effect upon its approval by the Governor.

Became a law May 11, 1897, without approval of the Governor.

CHAPTER 18.

AN ACT to amend an act entitled, "An act to assign cities and towns of this Commonwealth to the classes to which they belong."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Takes Pineville from list of fourth-class cities and adds it to the list of fifth-class cities.

§ 1. That section one of chapter ninety-nine of the Session Acts, one thousand eight hundred and ninety-one, ninety-two and ninety-three be amended by striking out the words "Pineville, Bell county," from the list of cities of the fourth class, and by adding the words "Pineville, Bell county," to the list of cities of the fifth class, so that said section, when thus amended, will read as follows, to-wit:

"§ 1. The cities and towns of this Commonwealth are classified as follows: First class—Louisville, Jefferson county. Second class—Lexington, Fayette county; Covington, Kenton county; Newport, Campbell county. Third class—Paducah, McCracken county; Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling Green, Warren county. Fourth class—Hopkinsville, Christian county; Shelbyville, Shelby county; Maysville, Mason county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Ashland, Boyd county; Catlettsburg, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery County; Middlesboro, Bell county; Georgetown, Scott county; Versailles, Woodford county; Harrodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Somerset, Pulaski county; Lebanon, Marion county; Ludlow, Kenton county; Nicholasville, Jessamine county. Fifth class—Lancaster, Garrard county; Cadiz, Trigg county; Grand Rivers, Livingston county; Franklin, Simpson county; Greenville, Muhlenberg county; Elizabethtown, Hardin county; Louisa, Lawrence county; Russellville, Logan county; Columbus, Hickman county; Madisonville, Hopkins county; Glasgow, Barren county;

Princeton, Caldwell county; Fulton, Hickman county; South Louisville, Jefferson county; West Covington, Kenton county; Earlington, Hopkins county; Carrollton, Carroll county; Hickman, Fulton county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Lawrenceburg, Anderson county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Barbourville, Knox county; Elkton, Todd county; Falmouth, Pendleton county; Central City, Muhlenberg county; Vanceburg, Lewis county; Morganfield, Union county; Carlisle, Nicholas county; Clay, Powell county; Uniontown, Union county; Campbellsville, Taylor county; Hawesville, Hancock county; Milldale, Kenton county; Eminence, Henry county; Parkland, Jefferson county; Eddyville, Lyon county; Leitchfield, Grayson county; Owingsville, Bath county; Pineville, Bell county."

Became a law May 11, 1897, with the approval of the Governor.

CHAPTER 19.

AN ACT to provide for the inspection of nursery stock and to prevent the dissemination of noxious insects and fungi.

Whereas, The agricultural and horticultural interests of Kentucky have been injuriously affected in the past by the introduction from abroad of insects and fungi which destroys plants or their fruits; and

Whereas, A destructive insect known as the San Jose scale has been imported on trees into the United States and is liable to appear at any time in Kentucky,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all nurseries in Kentucky, where trees, vines, plants or other nursery stock are grown and offered for sale, shall be inspected by the Entomologist and Botanist of the

Nurseries in
Kentucky to
be inspected
once each year

State Agricultural Experiment Station once each year at such time as he may elect, and he shall notify, in writing, the owners of such nurseries, the Commissioner of Agriculture and Statistics, the Director of the State Agricultural Experiment Station, and the President of the State Horticultural Society of the presence of any San Jose scale or other destructively injurious insects or fungi on the trees, vines, plants or other stock of such nurseries, and shall also notify, in writing, the owner of any affected stock that he is required, on or before a certain day, to take such measures for the destruction of such insect or fungus enemies of nursery stock as have been shown to be effectual for this purpose. Said entomologist and botanist shall, for the purpose of this act, be, and he is hereby, declared to be the State Entomologist, and shall serve without pay other than that he may receive as an officer of the State Agricultural Experiment Station, but his expenses shall be paid as hereinafter provided.

Owners, etc., must be notified of the existence of San Jose scale.

Creation of State Entomologist.

Serve without pay except expenses paid.

Owners of nursery to take steps to destroy San Jose scale, etc.

A misdemeanor or to ship, etc. Penalty for.

How recoverable.

§ 2. The owner of this affected nursery stock shall, within the time specified, take such steps for the destruction of San Jose scale or other destructively injurious insect or fungus enemies present as will exterminate the same, and it shall be a misdemeanor to ship or deliver any of such stock, punishable by a fine of fifty dollars for every such offense, the fine recoverable before a justice of the peace or by indictment by a grand jury of the county in which the nursery is situated, or of that to which such stock may have been shipped.

Certificate must accompany each package of stock shipped, showing it was examined by State Entomologist.

§ 3. Whenever a nurseryman or seller of trees, vines, plants or other nursery stock, who is a resident of this Commonwealth, shall ship or deliver any such goods, he shall send on each package so shipped or delivered a written certificate, signed by him, stating that the whole and every part of such stock has been examined by a State or Government Entomologist and found free from San Jose scale or other destructively injurious insect or fungus enemies. Failure

to furnish such certificate, or furnishing a false certificate, shall render him liable to the penalty of a fine of fifty dollars for each and every such shipment or delivery without such certificate. Penalty for failure to furnish such certificate.

§ 4. When the State Entomologist examines any trees, vines, plants or other nursery stock in this State under the provisions of this act, and finds such nursery stock free from San Jose scale and other destructively injurious insect and fungus enemies, he is hereby authorized and directed to make out and deliver, in writing, to the owner of such stock a certificate stating that he has inspected such stock and found the same free from San Jose scale and other destructively injurious insect and fungus enemies, and he shall file similar certificates with the Commissioner of Agriculture and Statistics and with the President of the State Agricultural and Mechanical College, which certificates shall at all times be subject to public inspection. State Entomologist authorized to make certificate of examination of stock, and file similar certificate with Commissioner of Agriculture and Statistics, etc.

§ 5. Whenever a nurseryman, fruit grower or agriculturist in this Commonwealth shall know or have good reason to believe that his trees, vines or plants are affected with San Jose scale, yellows, rosette or other destructive insect or fungus enemies, he shall have the privilege and it shall be his duty to notify the State Entomologist, who shall proceed to the premises designated and examine the same and suggest and recommend the proper remedies for the destruction of such insect or fungus enemies as may be present. Owner of stock must notify State Entomologist who shall examine and recommend remedy for destruction of same.

§ 6. Every package of trees, vines, plants or other nursery stock shipped into this State from another State shall be plainly labeled on the outside with the name of the consignor, the name of the consignee, the contents, and a certificate, signed by a State or Government inspector, showing that the contents have been examined by him, and that such stock is free from San Jose scale, or other destructive insect or fungus enemies. Whenever any trees, vines, plants or other nursery stock are shipped into this State without Nursery stock shipped from other States must be labeled, etc.

Proceedings
when stock
shipped into
this State
without being
labeled.

such a certificate plainly fixed on the outside of each package, the fact may be reported to any justice of the peace of this Commonwealth, and said justice shall issue a summons for the consignee of such package, and the agent of the consignor, if he be known, to appear before him on a certain day, to be therein named, to show cause why such trees, vines, plants or other nursery stock should not be seized, as being in violation of the provisions of this act, and on trial thereof, if said justice be satisfied that the provisions of this act have been violated, he shall order said agent or consignee to return such package of trees, vines, plants or other stock immediately to the shipper or consignor, unless said consignee or agent shall forthwith, and at his own expense, have such trees, vines, plants or other nursery stock examined by the State Entomologist, or such person as he may appoint to make the examination, and he certifies to the justice of the peace that such nursery stock is free from San

Proceedings
in case con-
signee or
agent fail to
have inspec-
tion made.

Jose scale or other destructive insect or fungus enemies. If such consignee or agent fail to have such inspection made, or fail to return such packages to the shipper or consignor thereof, then the justice of the peace shall order and direct the constable or sheriff to burn and destroy, at the expense of the agent or consignee, all such trees, vines, plants or other stock as have been shipped into this Commonwealth in violation of law.

Provisions for
paying ex-
penses of State
Entomologist.

§ 7. The sum of five hundred dollars annually, or so much thereof as may be necessary, is hereby appropriated for the purpose of paying the expenses of the State Entomologist in the performance of his duties under the provisions of this act, and the Auditor of Public Accounts is hereby directed to honor requisitions made by said State Entomologist for expenses incurred in the performance of his duties, and the State Entomologist shall make annual report to the Treasurer of the amount expended. ,

§ 8. Inasmuch as the insect known as San Jose scale has appeared in some sections of this Commonwealth, and great

destruction of fruit and fruit trees is imminent therefrom, an emergency is declared to exist, and this act shall take effect from and after its passage and approval by the Governor.

Approved May 20, 1897.

CHAPTER 20.

AN ACT to prevent lynching and injury to and destruction of real and personal property in this Commonwealth at the hands of mobs or other riotous assemblages of persons, and to prevent the posting and circulation of threatening letters, and to prescribe penalties for the enforcement of its provisions.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. If any two or more persons shall confederate or band themselves together for the purpose of intimidating, alarming, disturbing or injuring any person or persons, or to rescue any person or persons charged with a public offense from any officer or other person having the lawful custody of any such person or persons with the view of inflicting any kind of punishment on them, or with the view of preventing their lawful prosecution for any such offense or to do any felonious act, they, or either of them, shall be deemed guilty of a felony, and upon conviction shall be confined in the penitentiary not less than one nor more than five years.

Persons banding themselves together for an unlawful act, guilty of a felony.

Penalty not less than one nor more than five years in penitentiary.

§ 2. If any two or more persons shall confederate or band together and go forth, for the purpose of molesting, injuring or destroying any property, real or personal, of another person, persons or corporation, whether the same be injured, molested or damaged or not, they shall be guilty of a felony, and upon conviction shall be confined in the penitentiary not less than one nor more than five years.

A felony to band together to destroy property, etc.

Penalty not less than one nor more than five years in penitentiary.

§ 3. If any injury shall result to the person or property of any person or persons, by reason of any unlawful acts de-

If injury result to person or property, the ones guilty shall be confined in penitentiary not less than one nor more than fifteen years.

nounced in the preceding section of this act, the person or persons engaged or participating, or any one of them, or any one aiding or abetting such unlawful act, shall be guilty of a felony, and upon conviction shall be confined in the State penitentiary not less than one nor more than fifteen years,

No excuse that person acted through heat or passion and without malice.

be no mitigation of the offense for any one, upon his trial for a violation of the provisions of this section, that he may have acted through heat or passion, or that he may have acted without malice, and the judge trying the case shall

Persons composing mob shall be liable for damages to owner's property.

such mob or riotous assemblage shall be individually and collectively liable in damages, actual and punitive, to the owner or owners of property so damaged or destroyed, to be recovered by suit at law in any court having jurisdiction of the amount in controversy.

Officer may summon guards to protect prisoner.

Penalty for failure to obey the officer.

Officer may arm prisoners in view of their protection.

§ 4. Any officer or person having the custody of the person or persons charged with a public offense shall have the power, and it shall be his duty, to summon to his aid as many of the able-bodied male citizen of his county, between the ages of twenty-one and fifty years, as may be necessary for the protection of any such person or persons in his custody, and every such person who shall fail or refuse to obey such summons or verbal notice of such officer shall be fined in any sum not less than one hundred dollars nor more than five hundred dollars. Any officer having knowledge or reasonable grounds to believe that an effort will be made to rescue, injure or kill any person or persons in his custody charged with a public offense shall immediately provide such means as will be necessary to prevent any such unlawful act or acts; and any officer who may be in charge of any jail in this Commonwealth, in which is incarcerated any such person or persons charged with a public offense, when he has reasonable grounds to believe that said jail will be attacked by a mob or persons confederated or banded to-

gether for the purpose of inflicting violence upon any inmate of said jail, may, in his discretion, arm said threatened inmates, with a view to their own protection.

§ 5. That upon information being lodged with any county judge or circuit judge in this Commonwealth by any reliable and credible person or persons, stating under oath that he has information or knowledge that causes him to believe, and that he or they actually believe, that two or more persons have banded or confederated together, or are about to do so, for the purpose of injuring or destroying any property, real or personal, tollgate, tollgate house, bridge or other property of any person, turnpike or railroad company or other corporations in the county, or for the purpose of intimidating or preventing the keeper of any tollgate or bridge from collecting toll, and shall describe the said property or person threatened, it shall be the duty of the said county judge or circuit judge to at once order the sheriff or any constable of the county to summon a posse of not less than two nor more than ten discreet, able-bodied men, between twenty-one and fifty years of age, for each piece of property threatened with injury or destruction, to be placed at or in such property, armed with guns and ammunition, until the judge is satisfied the cause no longer exists, not to exceed thirty days at any one time: *Provided, however,* At the expiration of thirty days, if the court is satisfied, from information from a reliable source, that if said guard or guards are removed the property will be injured or destroyed, he may continue the guards for a period of thirty days longer, and so on, thirty days at a time, until he is satisfied that there is no further necessity therefor.

Judges may order guards to protect property.

Time said guards may serve.

§ 6. If the county judge, circuit judge, sheriff or other peace officer shall refuse or fail to discharge any of the duties imposed upon him by the provisions of this act, or shall be guilty of a dereliction of duty as such officer in the premises, he shall upon conviction be fined not less than one hundred nor more than five hundred dollars, and shall

Penalties for Judge or other officer refusing to act.

forfeit his office as a penalty, in addition to the payment of said fine.

§ 7. That the officer, for summoning the guards, shall be paid a fee of fifty cents for summoning said guard, and each guard shall be paid two dollars, or at that rate for each day he is on duty, to be paid upon the warrant of the county judge out of the county treasury and levy of that year. If a person should serve over ten hours on any one day, for such excess of service he shall be paid extra in proportion to the time of such extra service. Any guard summoned by the officer, who fails or refuses to act, without good cause made known at the time, shall be liable to a fine of not less than five dollars nor more than fifteen dollars for each day said guard shall be in default.

Fees and pay allowed to officers and guards.

Penalty for guard failing or refusing to act.

§ 8. For the purpose of more effectually enforcing the provisions of this act the Governor is hereby authorized to offer a reward for the apprehension and conviction of any offender of this law in any sum not exceeding five hundred dollars, and he shall be authorized to employ detectives, in his discretion, for the ferreting out and apprehension and conviction of any such offender, not exceeding two at any one time, provided the cost thereof shall not exceed three thousand dollars in any one year. The judge of the county court of any county in which this law is violated shall have power to offer a reward not exceeding two hundred dollars, or supplement the Governor's reward, for the arrest and conviction of any person violating this act. The rewards offered by the Governor shall be paid out of the Treasury of this State; those offered by the county judge shall be paid by the county.

The Governor authorized to offer reward and employ detectives.

County Judge may offer a reward or supplement the Governor's reward.

§ 9. If any person shall send, circulate, exhibit or put up any threatening notice or letter, signed with such person's own or another's name or anonymously, he shall upon conviction thereof be fined not less than one hundred dollars nor more than five hundred dollars, and imprisoned in

Penalty for sending or circulating threatening letters or notices.

the county jail not less than three nor more than twelve months.

§ 10. In any prosecution under this act it shall be no exemption for a witness that his testimony may incriminate himself; but no such testimony given by the witness shall be used against him in any prosecution except for perjury, and he shall be discharged from all liability for any violation of this act so necessarily disclosed in his testimony.

Relating to
testimony of
witnesses.

§ 11. As mobs and riotous assemblages of persons in certain counties of this Commonwealth have for several months past been engaged, and are now engaged, in injuring and destroying real and personal property, and the good name of this Commonwealth demands that such unlawful conduct should be stopped as soon as possible, it is hereby declared that an emergency exists, and this act shall take effect when approved by the Governor.

Approved May 20, 1897.

CHAPTER 21.

AN ACT for the benefit of the Agricultural and Mechanical College of Kentucky, and the State Normal School for Colored Persons, of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of any money in the Treasury, not otherwise appropriated, the sum of twenty-nine thousand five hundred and eighty-four and twenty-one hundredths (\$29,584.21) dollars to pay the interest due the Agricultural and Mechanical College to July first, eighteen hundred and ninety-seven out of the funds held by the State for the benefit of said college, and the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant upon the Treasury in favor of the treasurer of the Agricultural and Mechanical College of Kentucky for the sum of twenty-five thousand

two hundred and ninety-four dollars and fifty cents (\$25,294.50), and in favor of the treasurer of the State Normal School for Colored Persons for the sum of four thousand two hundred and eighty-nine dollars and seventy cents (\$4,289.70).

§ 2. That the Commissioners of the Sinking Fund be and they are hereby, authorized and directed to issue to themselves as trustees for the Agricultural and Mechanical College of Kentucky and the State Normal School for Colored Persons of Kentucky in the proportion hereinafter mentioned the bond of the Commonwealth, bearing date of July first, eighteen hundred and ninety-seven, for one hundred and sixty-five thousand (\$165,000) dollars bearing interest at the rate of six per cent., payable semi-annually, and said bond shall be a perpetual obligation of the Commonwealth and the interest thereon shall be a perpetual charge upon the Treasury; and it shall be the duty of the Auditor to regularly draw his warrant upon the Treasurer in favor of the treasurer of each of said colleges on the first day of January and on the first day of July, of each and every year, for the sum of four thousand nine hundred and fifty dollars (\$4,950) dollars, to pay said interest, in the following proportions, to-wit: Six hundred and twenty-seven and seventy-five and one-hundredths dollars (\$627.75) to the treasurer of the State Normal School for Colored Persons, and four thousand three hundred and twenty-two and twenty-five one-hundredths dollars (\$4,322.25), to the treasurer of the Agricultural and Mechanical College of Kentucky.

§ 3. An emergency is hereby declared to exist and this act shall take effect from its passage.

Approved May 21, 1897.

CHAPTER 22.

AN ACT to amend an act entitled "An act to authorize the appointment of official stenographic reporters in counties containing a population of seventy-five thousand or over," it being section four thousand, six hundred and thirty-seven, chapter one hundred and twenty-one of the Kentucky Statutes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled "An act to authorize the appointment of Official Stenographic Reporter in counties containing a population of seventy-five thousand or over," it being section four thousand six hundred and thirty-seven, chapter one hundred and twenty-one of the Kentucky Statutes, be amended as follows, viz.: "Strike out all of the title after the word "Reporters" and insert in lieu thereof the words "in the several counties in this State," and amend said section four thousand six hundred and thirty-seven as follows, viz.: Strike out the words "composed of a county containing a population of seventy-five thousand or over," in lines three and four of said section, so that said section, as amended, will read as follows:

"§ 4637. *Appointment in counties with 75,000 population—Term of office.*—The judge of the circuit court of each judicial district of this Commonwealth, or the judge of any division of such court, may, in his discretion, appoint an official stenographic reporter for such court or division, who shall be skilled in his profession, and who shall hold office for a period of four years, or until his successor is appointed and qualified, unless sooner removed at the pleasure of the judge of said court or division for incompetency, or for other cause shown as hereinafter provided."

Approved May 21, 1897.

CHAPTER 23.

AN ACT to amend section two hundred and nineteen of an act entitled "An act for the government of cities of the first class," approved July 1st, one thousand eight hundred and ninety-three.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section two hundred and nineteen of an act, entitled "An act for the government of cities of the first class," approved July first, one thousand eight hundred and ninety-three, be, and the same is hereby, amended by striking out the words "two hundred and thirty-three" in said section and inserting in lieu thereof the words "two hundred and seventeen," and by adding to said section the following words: "At any decretal sale of real estate the city may, by the mayor, city attorney, or assistant city attorney, bid the amount due such city for the taxes adjudged to be liens thereon, with interest and costs of suit and sale, and may become the purchaser of such real estate, with the same right to a conveyance and the possession thereof as provided by law in the case of any other purchaser. The owner of the real estate so sold, his heirs, representatives or assigns shall have the same right to redeem such real estate from the purchaser thereof at any time within one year from the day of sale, as is provided by law in the sale of real estate under execution, by paying to such purchaser the amount of the purchase price at said sale, with ten per cent. interest thereon per annum from the day of sale. No real estate thus acquired by the city, except such as may be proper and necessary for public purposes, shall be held by the city for a longer period than five years, and unless the same is sold and conveyed by the city within said period, the title thereto shall escheat to the Commonwealth of Kentucky," so that said section two hundred and nineteen, when thus amended, shall read as follows:

"§ 219. On the first day of May of the second year after

the assessment of city taxes the receiver shall make out a list of the bills still wholly or partly unpaid, on lands or improvements, and furnish the list to the city attorney, whose duty it shall be to bring, without delay, suits for the recovery thereof in the circuit court, except that where any litigation growing out of distrains or garnishments, or against guardians and others under section two hundred and seventeen is still pending, he may await the termination thereof before bringing such suit. In these suits the city shall, unless the person liable for the tax be under disability, ask for and obtain a personal judgment against the person assessed, as well as the enforcement of the lien hereinafter given. The action herein authorized, and the judgment and subsequent proceedings therein (except as hereinafter excepted), shall be conducted in all respects like suits upon liens arising from contract, and the court shall have jurisdiction of all suits for taxes irrespective of amount. The sums due for taxes of later and earlier years shall be included in the petition and in the judgment. New tax bills, which are included with older ones against the same owners, on which the attempt at distraint and garnishment has proved ineffectual, need not be dealt with by the receiver in the way provided herein. The omission of the receiver to act as prescribed herein shall not defeat any suit of the city for taxes. When an action heretofore or hereafter brought under this or the following section is still pending and undetermined, a new action upon subsequently accruing taxes may be brought and either action may, in the discretion of the court, be carried to judgment separately, and a sale may be had under the judgment therein of sufficient property to satisfy the same, giving the purchaser a title free from tax liens set up in other causes. When for taxes assessed against a decedent, the city seeks only the enforcement of the lien on the lands or improvements, or lands and improvements assessed, the statutory affidavit and demand need not be made before beginning or reviving a suit,

nor in support of the claim. At any decretal sale of real estate the city may, by the mayor, city attorney or assistant city attorney, bid the amount due such city for the taxes adjudged to be liens thereon, with interest and costs of suit and sale, and may become the purchaser of such real estate, with the same right to a conveyance and the possession thereof as provided by law in the case of any other purchaser. The owner of the real estate so sold, his heirs, representatives or assigns, shall have the same right to redeem such real estate from the purchaser thereof at any time within one year from the day of sale, as is provided by law in the sale of real estate under execution, by paying to such purchaser the amount of the purchase price at said sale, with ten per cent. interest thereon per annum from the day of sale. No real estate thus acquired by the city, except such as may be proper and necessary for public purposes, shall be held by the city for a longer period than five years, and unless the same is sold and conveyed by the city within said period, the title thereto shall escheat to the Commonwealth of Kentucky.

§ 2. That inasmuch as there is now no provision made by law for cities of the first class to purchase real estate for other than public purposes, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its approval by the Governor.

Approved May 26, 1897.

CHAPTER 24.

AN ACT to amend an act entitled, "An act to provide for the more perfect and uniform indexing of the public records in counties of this Commonwealth having a population of seventy-five thousand or over," approved June fifteenth, eighteen hundred and ninety-three.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section one of the act of June fifteenth, eighteen hundred and ninety-three (chapter two hundred and twenty-three), entitled "An act to provide for the more perfect and uniform indexing of the public records in counties of this Commonwealth having a population of seventy-five thousand or over," be, and the same is hereby amended by striking out the words "the judges of the circuit and county courts" and substituting in lieu thereof the words, "The judge of the county court, with the concurrence of a majority of the circuit judges; also by striking out the word three wherever it occurs in said section and inserting in lieu thereof the word four and by striking out the words one thousand, eight hundred and ninety-five and inserting in lieu thereof, one thousand, eight hundred and ninety-eight so that said section as amended shall read: "That in each and every county within this Commonwealth having a population of seventy-five thousand or more, and constituting of itself a separate judicial district, the judge of the county court, with the concurrence of a majority of the circuit judges, shall, in the month of January, one thousand eight hundred and ninety-eight, and in the same month every four years thereafter, appoint as official indexer of the public records in such county, some competent person who shall possess the same

qualifications of eligibility as the clerk of a county court, and whose term of office shall begin on the first Monday in February following his appointment, and expire on the first Monday in February, four years thereafter, subject, however, to removal at any time by the judges of the aforesaid courts for incompetency or neglect of duty."

§ 2. That section two of said act be, and it is, amended by adding at the end of the section as it now stands the words: "And said indexer shall upon the order of the judge of the county court transcribe any of the public records of the county and quarterly courts and the county clerk's office; and upon the order of the judges of the circuit court, said indexer shall transcribe any of the public records of their court and of the circuit clerk's office that may be in a ruined, torn or obliterated condition, and shall, on the order of said judges respectively, make cross-indexes of public records, in said respective court or clerk's office, and on order of either of said courts shall perfect existing indexes, and shall do all this without additional compensation," so that said section, as amended, shall read; "It shall be the duty of such indexer, subject to the order of the various courts of his county, to compile general cross-indexes to the records of such courts and to the records contained in the offices of the clerks thereof, arranging alphabetically the surnames of the parties in interest appearing upon said records, according to their initial letters, and the arrangement of the various vowels and consonants therein, the accuracy and acceptability of which general indexes shall be passed upon respectively by the court ordering same. And said indexer shall upon order of the judge of the county court transcribe any of the public records of the county and quarterly courts, and the county clerk's office, and upon the order of the judges of the circuit court, said indexer shall transcribe any of the records of their court and of the circuit clerk's office that may be in a ruined, torn or obliterated condition, and shall, on the order of said judges re-

spectively make cross-indexes of public records in said respective court, or clerk's office, and on the order of either of said courts, shall perfect existing indexes and he shall do all this without additional compensation.

§ 3. That section four of said act be, and it is, amended by striking out all the words after the words, "The official indexer," in the first line of said section, and by substituting in lieu thereof, the following word appointed as aforesaid said shall receive for his services a sum to be fixed by the judges appointing and confirming him, not exceeding the constitutional limitation, and said indexer may appoint his own assistants subject to the approval of said judges, but their compensation shall rest entirely in the discretion of the judges aforesaid, and such compensation shall be paid as the salary of the county judge is paid: Provided, however, That at no time shall the total expense annually, under this act, exceed the sum of eight thousand dollars," so that said section, as amended, shall read as follows: "The official indexer, appointed as aforesaid, shall receive for his services a sum fixed by the judges appointing and confirming him, not exceeding the constitutional limitation; and said indexer may appoint his own assistants subject to the approval of said judges, but their compensation shall rest entirely in the discretion of the judges aforesaid, and such compensation shall be paid as the salary of the county judge is paid: Provided, however, That at no time shall the total expense annually, under this act, exceed the sum of eight thousand dollars."

§ 4. Section nine of chapter thirty-seven of the General Statutes of Kentucky, now known as section sixteen hundred and thirty-two of the Statutes of Kentucky; shall hereafter not apply to the counties having a population of, or in excess of, seventy-five thousand inhabitants.

§ 5. That this act shall take effect at the expiration of the term of the present official indexers of this Commonwealth.

Approved May 26, 1897.

CHAPTER 25.

AN ACT to amend an act entitled, "An act to provide for an efficient system of common schools throughout the State," approved July sixth, 1893.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section one hundred of an act, entitled "An act to provide an efficient system of common schools throughout of the State," approved July sixth, eighteen hundred and ninety-three, be, and is hereby, amended as follows, to-wit: Amend section one hundred to read as follows:

"It shall be the duty of the county judge in each county of this Commonwealth, upon a written petition signed by at least ten legal voters, who are taxpayers in the justice's district, town or city of the fifth or sixth classes in his county, to make an order on his order book, at the next regular term of his court after he receives said petition, fixing the boundary of any proposed graded common school district, as agreed on by the county judge and the petitioners, and directing the sheriff or other officer, whose duty it may be to hold the election, to open a poll in said proposed graded common school district, at the next regular State, town or city election to be held therein, or on any other day fixed by said judge in said order, not in either case earlier than forty days from the date of said order, for the purpose of taking the sense of the legal white voters in said proposed graded common school district upon the proposition whether or not they will vote an annual tax, in any sum named in said order, not exceeding fifty cents on each one hundred dollars of property assessed in said proposed graded common school district, town or city, belonging to said white voters or corporations, or a poll tax in any sum named in said order, not exceeding one dollar and fifty cents per capita on each white male inhabitant over twenty-one years of age

residing in said proposed graded common school district, or both an *ad valorem* and a poll tax, if so stated in the order, for the purpose of maintaining a graded common school in said proposed graded common school district, and for erecting, purchasing or repairing suitable buildings therefor if necessary: *Provided*, That the proposition to establish any graded common school district and school, as provided for in this section, is approved in writing on the petition to the county judge by a majority of the trustees of any common school district, included wholly or partly within the boundary of said proposed graded common school district, and approved in writing on said petition by the county superintendent of common schools; that no point on the boundary of any proposed graded common school district be more than two and one-half miles from the site of its proposed schoolhouse, and that the location and site of said schoolhouse in said district are set out with exactness in said petition to the county judge. If at any time, two years having intervened since such graded common school district was established, it becomes desirable to change the boundary of the same, it shall be the duty of the county judge, upon a written petition signed by the person or persons desiring to be changed, who are, under this law, legal voters in the school district or districts in which they reside and who at the same time own the real estate sought to be transferred to make an order on his order-book at the next regular term of his court after receiving said petition, fixing the new boundary of the said graded or common school district as agreed on by the county judge and the petitioners. Such petition, to be valid, shall set out in full the new boundary of said district, which shall be recorded as in case of the original boundary, and a copy of same shall be furnished the Board of Education of said graded common school district; but no such change shall be made unless said petition be approved in writing by a majority of the Board of Education of each district concerned, as well as

by the county superintendent. The provisions of this act, under like conditions and restrictions, touching change of boundary, shall apply equally to changes in boundary of districts heretofore established by local or special law, which incorporates any city, town or village as one district, as described in section seventy-one of an act to provide for an efficient system of common schools throughout the State, approved July sixth, eighteen hundred and ninety-three.

Approved May 26, 1897.

CHAPTER 26.

AN ACT to amend section twenty-four of chapter two hundred and two, of an act entitled, "An act concerning office and officer," approved May sixteenth, eighteen hundred and ninety-three, Acts eighteen hundred and ninety-one, eighteen hundred and ninety-two and eighteen hundred and ninety-three, being section three thousand seven hundred and sixty-three, chapter ninety-three of the Kentucky Statutes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Deducts pay
of regular offi-
cer who fails
to serve with-
out good ex-
cuse.

Said excuse to
be set out by
affidavit.

§ 1. Strike out section three thousand seven hundred and sixty-three and substitute in lieu thereof the following, to-wit, as section three thousand seven hundred and sixty-three: If any judge, Commonwealth's attorney, or other officer paid in whole or in part out of the State Treasury, or by any county, shall fail or neglect without good excuse therefor, to perform the duties of his office said excuse for failure to perform said duty to be set out in full by affidavit by the person so failing and duly certified by order of court to the Auditor or other paying officer, there shall be deducted from the amount of the salary of such officer there-after paid to him by the State or county such an amount as the total number of days during the year in which he failed or neglected to discharge his duty bears to the whole number of days in the year for which he received compensation;

and so much of said amount so deducted as is necessary shall be applied to the payment of the special judge or other officer who performs the duty of the judge or officer so failing.

Said reduction to be applied to payment of special officer.

Approved May 26, 1897.

CHAPTER 27.

AN ACT to amend an act entitled, "An act to assign cities and towns of this Commonwealth to classes to which they belong."

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section one of chapter ninety-nine, of Session Acts eighteen hundred and ninety-one, two, three, be amended as follows:

Whereas, When an act, entitled "An act for the government of cities of the fifth class, which was approved July third, eighteen hundred and ninety-three, was passed, the population of the city of Marion, Crittenden county, Kentucky, was less than one thousand, and was, therefore, assigned to cities of the sixth class;

Whereas, Under an ordinance regularly passed by the board of trustees of the city of Marion, Crittenden county, Kentucky, on the thirteenth day of October, eighteen hundred and ninety-six, a census of said city was ordered to be taken, and by said census it appears that the population of the city of Marion is more than one thousand, to-wit, one thousand and ten, and on the seventeenth day of February, eighteen hundred and ninety-seven, the said board of trustees of the city of Marion, upon the result of said census, regularly passed an ordinance declaring the population of the said city of Marion to be one thousand and ten and directing the city of Marion, to be assigned to cities of the fifth class. The said section when amended will read as follows, to-wit:

§ 1. The cities and towns of this Commonwealth are classified as follows:

First Class.—Louisville, Jefferson county.

Second Class.—Lexington, Fayette county; Covington, Kenton county; Newport, Campbell county.

Third Class.—Paducah, McCracken county; Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling Green, Warren county.

Fourth Class.—Hopkinsville, Christian county; Shelbyville, Shelby county; Maysville, Mason county; Pineville, Bell county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Ashland, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery county; Middlesborough, Bell county; Georgetown, Scott county; Versailles, Woodford county; Harrodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Somerset, Pulaski county; Lebanon, Marion county; Ludlow, Kenton county; Nicholasville, Jessamine county; Catlettsburg, Boyd county.

Fifth Class.—Lancaster, Garrard county; Cadiz, Trigg county; Grand Rivers, Livingston county; Franklin, Simpson county; Greenville, Muhlenberg county; Elizabethtown, Hardin county; Louisa, Lawrence county; Russellville, Logan county; Columbus, Hickman county; Madisonville, Hopkins county; Glasgow, Barren county; Princeton, Caldwell county; Fulton, Fulton county; South Louisville, Jefferson county; West Covington, Kenton county; Earlington, Hopkins county; Carrollton, Carroll county; Hickman, Fulton county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Lawrenceburg, Anderson county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Barbourville, Knox county; Elkton, Todd county; Falmouth, Pendleton county; Central City, Muhlenberg county; Vanceburg, Lew-

is county; Morganfield, Union county; Carlisle, Nicholas county; Clay, Powell county; Uniontown, Union county; Campbellsville, Taylor county; Hawesville, Hancock county; Milldale, Kenton county; Eminence, Henry county; Parkland, Jefferson county; Eddyville, Lyon county; Leitchfield, Grayson county; Owingsville, Bath county; Murray, Calloway county; Marion, Crittenden county.

Sixth Class.—All other incorporated cities and towns not named in this bill shall belong to the sixth class.

Became a law June 2, 1897, without the approval of the Governor.

RESOLUTIONS.

No. 1.

RESOLUTION providing for a special committee to investigate the Eddyville Penitentiary.

Whereas the Public Press of Kentucky has been filled with statements referring to said management and lack of discipline in the branch penitentiary at Eddyville and as this legislature must determine its future continuance as a penitentiary it is proper that we have all the information that will enable us to act for the best interest of Kentucky, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That there is hereby constituted and appointed a special committee of six, three from the Senate, and three from the House of Representatives, to be composed of members of the Committees on Penitentiary and House of Reform in the Senate and House respectively. The members thereof to be selected by the respective chairman of said committees. From the Senate Committee there shall be selected two Democrats and one Republican, and from the House Committee there shall be selected two Republicans and one Democrat. It shall be the duty of said Special Committee to examine into the discipline and conduct of the penitentiary at Eddyville, in order that the General Assembly may have an opportunity to consider whether it is best to place the prisons in charge of a commission of business men, with full power to remove any officers under them at pleasure.

2. Resolved, Said committee are empowered to send for

persons and papers, swear witnesses reporting its work to this House at as early a date as possible.

3. Resolved, That the Auditor of Public Accounts be and he is hereby instructed to draw his warrant on the Treasurer to pay the necessary expenses of said committee.

Became a law May 11, 1897, without the approval of the Governor.

No. 2.

RESOLUTION to appropriate money to defray expenses of committee attending burial of J. P. Salyer, deceased.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That there is hereby appropriated out of any money in the Treasury, not otherwise appropriated, the sum of fifty-four dollars and seventy-five cents to defray the expenses of the committee appointed to attend the burial of J. P. Salyer, deceased; said amount to be paid to R. H. Elliston, on the warrant of the Auditor drawn in his favor.

2. That by reason of said expenses having been paid out of private funds, and it being proper that the same should be reimbursed, an emergency is declared to exist and this resolution shall take effect upon its approval by the Governor.

Approved May 19, 1897.

No. 3.

RESOLUTION authorizing the Committee on Bribery Investigation to employ a stenographer.

** Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

1. That the Special Committee on Bribery Investigation of the House of Representatives of Kentucky, is hereby authorized to employ a stenographer to take down the evi-

Special Committee on bribery investigation to employ a stenographer.

Pays said stenographer. dence given before said committee, said stenographer to be paid at the rate of three dollars per day and twenty-five cents per page for transcribing said stenographic report.

Chairman to certify to Auditor, etc. 2. The chairman of said committee shall certify to the Auditor of Public Accounts the number of days said stenographer has been employed and the number of pages transcribed; and the Auditor shall draw his warrant upon the Treasurer for whatever sum as is so certified, and the Treasurer shall pay same out of the general expenditure fund of the State.

Approved May 20, 1897.

No. 4.

RESOLUTION providing for paying the expenses of the contest between C. D. Bell, contestant, and S. R. Crumbaugh.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the sum of two hundred and fifty-one dollars be, and is hereby, allowed to S. R. Crumbaugh for his expenses incurred in the contest to a seat in the present General Assembly, filed against him by C. D. Bell, being fourteen (\$14) dollars paid to Mrs. Mary E. Howell, as examiner, for taking and transcribing the depositions of twelve witnesses who testified in his behalf; twelve (\$12) dollars witness fees; seventy-five (\$75) dollars as attorney's fees for W. T. Fowler, and twenty-five (\$25) dollars as attorney's fee for John Feland, Jr., who were local attorneys, examined witnesses, made up the record and advised the said Crumbaugh; one hundred and twenty-five (\$125) dollars, as attorney's fee to the firm of Holt & Holt, for advice relative to attending to and arguing the said Crumbaugh's case before the Contest Committee of the Senate. And that the sum of three hundred and twenty-five (\$325) dollars be, and the same is hereby, allowed to the contestant, C. D. Bell, for his expenses incurred in said contest, being fifty (\$50) dollars paid

to Walter Warfield and Judge Morrow, attorneys, in Christian county, for preparing the papers of the contest and taking the depositions in behalf of contestant; fifty (\$50) dollars paid Mrs. Mary E. Howell, examiner, for taking and transcribing depositions; fifty (\$50) dollars paid to witnesses and hotel expenses in taking depositions in the contest; fifty (\$50) dollars, cost of traveling to and from Frankfort, and hotel expenses in Frankfort while attending the trial of the contest before the Senate; and one hundred and twenty-five (\$125) dollars to W. G. Bullitt, attorney's fee for services on the trial of the contest before the Senate Committee.

2. That the Auditor of Public Accounts be, and he is hereby directed to draw his warrant on the Treasurer for the sum of two hundred and fifty-one (\$251) dollars in favor of said Crumbaugh, and three hundred and twenty-five (\$325) dollars in favor of said Bell.

Approved May 21, 1897.

No. 5.

RESOLUTION providing for pay to the ministers of Frankfort for opening the sessions of the House and Senate with prayer.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the ministers of the gospel who have rendered services in opening the House and Senate with prayer, be, and they are hereby, allowed the sum of three hundred dollars for their services for the year one thousand eight hundred and ninety-seven, to be paid out of any money in the Treasury, not otherwise appropriated; and the Auditor shall draw his warrant on the Treasurer for the same, payable to the chief clerk of the Senate, who shall distribute the same to the parties entitled to same as they may direct.

2. Whereas, provision should be made for the payment of said services, an emergency is hereby declared to exist, and this resolution shall be in force from and after its approval by the Governor.

Became a law June 2, 1897, without the approval of the Governor.

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